

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

IN RE WORLD TRADE CENTER  
DISASTER SITE LITIGATION

CHRISTOPHER KING,

Plaintiff,

- against -

THE CITY OF NEW YORK, AND AMEC  
CONSTRUCTION MANAGEMENT, INC., *et al.*,

Defendants.

21 MC 100 (AKH)

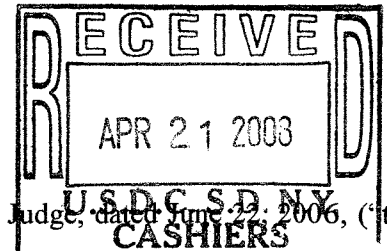
**Judge Hellerstein**

DOCKET NO.

**U8 CIV 37641**

**CHECK-OFF ("SHORT FORM")  
COMPLAINT  
RELATED TO THE  
MASTER COMPLAINT**

**PLAINTIFF DEMANDS A TRIAL BY  
JURY**



By Order of the Honorable Alvin K. Hellerstein, United States District Judge, dated June 22, 2006, ("the Order"), Master Complaints for all Plaintiffs were filed on August 18, 2006.

**NOTICE OF ADOPTION**

All headings and paragraphs in the Master Complaints are applicable to and are adopted by the instant Plaintiff(s) as if fully set forth herein in addition to those paragraphs specific to the individual Plaintiff(s), which are listed below. These are marked with an "☒" if applicable to the instant Plaintiff(s), and specific case information is set forth, as needed, below.

Plaintiff, by his attorneys SULLIVAN PAPAIN BLOCK MCGRATH & CANNAVO, P.C. complaining of Defendants, respectfully alleges:

**I. PARTIES**

**PLAINTIFF(S)**

1. ☒ Plaintiff CHRISTOPHER KING (hereinafter the "Injured Plaintiff"), is an individual and a citizen of New York residing at 64 Norwood Avenue, Northport, New York 11768.
2. Alternatively, ☐ \_\_\_\_\_ is the \_\_\_\_\_ of Decedent \_\_\_\_\_, and brings this claim in his (her) capacity as of the Estate of \_\_\_\_\_.
3. ☐ Plaintiff, \_\_\_\_\_ (hereinafter the "Derivative Plaintiff"), is an individual and a citizen of \_\_\_\_\_ residing at \_\_\_\_\_, and has the following relationship to the Injured Plaintiff:  
  
☐ Plaintiff at all relevant times herein, is and has been lawfully married to Plaintiff, and brings this derivative action for her loss due to the injuries sustained by her

husband,

☐

Parent

☐

Child

☐

Other: \_\_\_\_\_

4. In the period from September 11, 2001 through the end of September 2001, and thereafter, including October through December 2001 and January through June 2002, the injured Plaintiff worked for the New York City Fire Department as a Fire Officer at:

*Please be as specific as possible when filling in the following dates and locations*

☒ **The World Trade Center Site**

Location(s) (i.e., building, quadrant, etc.) throughout the four quadrants. From September 11, 2001 through the beginning of October 2001, for many of these days, working 12 hours per shift and multiple twenty-four hour shifts in the immediate aftermath of the collapse of the World Trade Center. The injured plaintiff worked at the World Trade Center Site in October, November and December 2001, and thereafter from January 2002 through June 2002.

☐

**The New York City Medical Examiner's Office**

From on or about \_\_\_\_\_ until \_\_\_\_\_,  
Approximately \_\_\_\_\_ hours per day; for  
Approximately \_\_\_\_\_ days total.

☐

**The Fresh Kills Landfill**

From on or about \_\_\_\_\_ until \_\_\_\_\_;  
Approximately \_\_\_\_\_ hours per day; for  
Approximately \_\_\_\_\_ days total.

☐

**The Barge**

From on or about \_\_\_\_\_ until \_\_\_\_\_;  
Approximately \_\_\_\_\_ hours per day; for  
Approximately \_\_\_\_\_ days total.

☐

**Other:\*** For injured plaintiffs who worked at Non-WTC Site building or location. The injured plaintiff worked at the address/location, for the dates alleged, for the hours per day, for the total days, and for the employer, as specified below:

From on or about \_\_\_\_\_ until \_\_\_\_\_;  
Approximately \_\_\_\_\_ hours per day; for  
Approximately \_\_\_\_\_ days total;  
Name and Address of Non-WTC Site  
Building/Worksite: \_\_\_\_\_

\*Continue this information on a separate sheet of paper if necessary. If more space is needed to specify "Other" locations, please annex a separate sheet of paper with the information.

5. Injured Plaintiff

☒ Was exposed to and breathed noxious fumes on all dates, at the site(s) indicated above;

☒ Was exposed to and inhaled or ingested toxic substances and particulates on all dates at the site(s) indicated above;

☒ Was exposed to and absorbed or touched toxic or caustic substances on all dates at the site(s) indicated above;

*Please read this document carefully.*

*It is very important that you fill out each and every section of this document.*

☐ Other: \_\_\_\_\_

6. Injured Plaintiff

- ☒ Has not made a claim to the Victim Compensation Fund. Pursuant to §405(c)(3)(B)(i) of the Air Transportation Safety and System Stabilization Act, 49 U.S.C. § 40101, the issue of waiver is inapplicable.
- ☐ Made a claim to the Victim Compensation Fund that was denied. Pursuant to § 405(c)(3)(B)(i) of the Air Transportation Safety and System Stabilization Act, 49 U.S.C. § 40101, the issue of waiver is inapplicable.
- ☐ Made a claim to the Victim Compensation Fund, that was subsequently withdrawn by Ground-Zero Plaintiff. Pursuant to § 405(c)(3)(B)(i) of the Air Transportation Safety and System Stabilization Act, 49 U.S.C. § 40101, the issue of waiver is inapplicable.
- ☐ Made a claim to the Victim Compensation Fund that was granted. Pursuant to § 405(c)(3)(B)(i) of the Air Transportation Safety and System Stabilization Act, 49 U.S.C. § 40101, Ground Zero-Plaintiff has waived her/his right(s) to pursue any further legal action for the injuries identified in said claim.

***Please read this document carefully.***

***It is very important that you fill out each and every section of this document.***

**B. DEFENDANT(S)**

7. The following is a list of all Defendant(s) named in the Master Complaint. If checked, all paragraphs pertaining to that Defendant are deemed pleaded herein.

**X THE CITY OF NEW YORK**

☐ A Notice of Claim was timely filed and served on \_\_\_\_\_ and  
☐ pursuant to General Municipal Law §50-h the CITY held a hearing on \_\_\_\_\_ (OR)  
☐ The City has yet to hold a hearing as required by General Municipal Law §50-h  
☐ More than thirty days have passed and the City has not adjusted the claim (OR)

☒ A Petition/application to  
☒ deem Plaintiff's (Plaintiffs') Notice of Claim timely filed, or in the alternative to grant Plaintiff(s) leave to file a late Notice of Claim *Nunc Pro Tunc* (for leave to file a late Notice of Claim *Nunc Pro Tunc*) has been filed and a determination  
☒ is pending  
☐ Granting petition was made on \_\_\_\_\_  
☐ Denying petition was made on \_\_\_\_\_

**☐ PORT AUTHORITY OF NEW YORK AND NEW JERSEY ["PORT AUTHORITY"]**

☐ A Notice of Claim was filed and served pursuant to Chapter 179, §7 of The Unconsolidated Laws of the State of New York on  
☐ More than sixty days have elapsed since the Notice of Claim was filed, (and)  
☐ the PORT AUTHORITY has adjusted this claim  
☐ the PORT AUTHORITY has not adjusted this claim.

- ☐ 1 WORLD TRADE CENTER, LLC  
☐ 1 WTC HOLDINGS, LLC  
☐ 2 WORLD TRADE CENTER, LLC  
☐ 2 WTC HOLDINGS, LLC  
☐ 4 WORLD TRADE CENTER, LLC  
☐ 4 WTC HOLDINGS, LLC  
☐ 5 WORLD TRADE CENTER, LLC

- ☐ 5 WTC HOLDINGS, LLC  
☒ AMEC CONSTRUCTION MANAGEMENT, INC.  
☐ 7 WORLD TRADE COMPANY, L.P.  
☐ A RUSSO WRECKING  
☐ ABM INDUSTRIES, INC.  
☐ ABM JANITORIAL NORTHEAST, INC.  
☒ AMEC EARTH & ENVIRONMENTAL, INC.  
☐ JAMES CORTESE SPECIALIZED HAULING, LLC, INC.  
☐ ATLANTIC HEYDT CORP  
☐ BECHTEL ASSOCIATES PROFESSIONAL CORPORATION  
☐ BECHTEL CONSTRUCTION, INC.  
☐ BECHTEL CORPORATION  
☐ BECHTEL ENVIRONMENTAL, INC.  
☐ BERKEL & COMPANY, CONTRACTORS, INC.  
☐ BIG APPLE WRECKING & CONSTRUCTION CORP  
☒ BOVIS LEND LEASE, INC.  
☒ BOVIS LEND LEASE LMB, INC.  
☐ BREEZE CARTING CORP  
☐ BREEZE NATIONAL, INC.  
☐ BRER-FOUR TRANSPORTATION CORP.  
☐ BURO HAPOLD CONSULTING ENGINEERS, P.C.  
☐ C.B. CONTRACTING CORP  
☐ CANRON CONSTRUCTION CORP  
☐ CANTOR SEINUK GROUP  
☐ CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.  
☐ CORD CONTRACTING CO., INC  
☐ CRAIG TEST BORING COMPANY INC.  
☐ DAKOTA DEMO-TECH  
☐ DIAMOND POINT EXCAVATING CORP  
☐ DIEGO CONSTRUCTION, INC.  
☐ DIVERSIFIED CARTING, INC.  
☐ DMT ENTERPRISE, INC.  
☐ D'ONOFRIO GENERAL CONTRACTORS CORP  
☐ EAGLE LEASING & INDUSTRIAL SUPPLY

*Please read this document carefully.*

*It is very important that you fill out each and every section of this document.*

- |   |   |
|---|---|
| <input type="checkbox"/> EAGLE ONE ROOFING CONTRACTORS INC.<br><input type="checkbox"/> EAGLE SCAFFOLDING CO<br><input type="checkbox"/> EJ DAVIES, INC.<br><input type="checkbox"/> EN-TECH CORP<br><input type="checkbox"/> ET ENVIRONMENTAL<br><input type="checkbox"/> EVERGREEN RECYCLING OF CORONA<br><input type="checkbox"/> EWELL W. FINLEY, P.C.<br><input type="checkbox"/> EXECUTIVE MEDICAL SERVICES, P.C.<br><input type="checkbox"/> F&G MECHANICAL, INC.<br><input type="checkbox"/> FLEET TRUCKING, INC.<br><input type="checkbox"/> FRANCIS A. LEE COMPANY, A CORPORATION<br><input type="checkbox"/> FTI TRUCKING<br><input type="checkbox"/> GILSANZ MURRAY STEFICEK, LLP<br><input type="checkbox"/> GOLDSTEIN ASSOCIATES CONSULTING ENGINEERS, PLLC<br><input type="checkbox"/> HALLEN WELDING SERVICE, INC.<br><input type="checkbox"/> H.P. ENVIRONMENTAL<br><input type="checkbox"/> KOCH SKANSKA INC.<br><input type="checkbox"/> LAQUILA CONSTRUCTION INC<br><input type="checkbox"/> LASTRADA GENERAL CONTRACTING CORP<br><input type="checkbox"/> LESLIE E. ROBERTSON ASSOCIATES CONSULTING ENGINEER P.C.<br><input type="checkbox"/> LIBERTY MUTUAL GROUP<br><input type="checkbox"/> LOCKWOOD KESSLER & BARTLETT, INC.<br><input type="checkbox"/> LUCIUS PITKIN, INC<br><input type="checkbox"/> LZA TECH-DIV OF THORTON TOMASETTI<br><input type="checkbox"/> MANAFORT BROTHERS, INC.<br><input type="checkbox"/> MAZZOCCHI WRECKING, INC.<br><input type="checkbox"/> MERIDIAN CONSTRUCTION CORP.<br><input type="checkbox"/> MORETRENCH AMERICAN CORP.<br><input type="checkbox"/> MRA ENGINEERING P.C.<br><input type="checkbox"/> MUESER RUTLEDGE CONSULTING ENGINEERS<br><input type="checkbox"/> NACIREMA INDUSTRIES INCORPORATED<br><input type="checkbox"/> NEW YORK CRANE & EQUIPMENT CORP.<br><input type="checkbox"/> NICHOLSON CONSTRUCTION COMPANY<br><input type="checkbox"/> OLYMPIC PLUMBING & HEATING<br><input type="checkbox"/> PETER SCALAMANDRE & SONS, INC.<br><input type="checkbox"/> PINNACLE ENVIRONMENTAL CORP<br><input type="checkbox"/> PLAZA CONSTRUCTION CORP. | <input type="checkbox"/> PLAZA CONSTRUCTION MANAGEMENT CORP.<br><input type="checkbox"/> PRO SAFETY SERVICES, LLC<br><input type="checkbox"/> PT & L CONTRACTING CORP<br><input type="checkbox"/> REGIONAL SCAFFOLD & HOISTING CO, INC.<br><input type="checkbox"/> ROBER SILMAN ASSOCIATES<br><input type="checkbox"/> ROBERT L GEROSA, INC<br><input type="checkbox"/> RODAR ENTERPRISES, INC.<br><input type="checkbox"/> ROYAL GM INC.<br><input type="checkbox"/> SAB TRUCKING INC.<br><input type="checkbox"/> SAFEWAY ENVIRONMENTAL CORP<br><input type="checkbox"/> SEASONS INDUSTRIAL CONTRACTING<br><input type="checkbox"/> SEMCOR EQUIPMENT & MANUFACTURING CORP.<br><input type="checkbox"/> SILVERITE CONTRACTORS<br><input type="checkbox"/> SILVERSTEIN PROPERTIES<br><input type="checkbox"/> SILVERSTEIN PROPERTIES, INC.<br><input type="checkbox"/> SILVERSTEIN WTC FACILITY MANAGER, LLC<br><input type="checkbox"/> SILVERSTEIN WTC, LLC<br><input type="checkbox"/> SILVERSTEIN WTC MANAGEMENT CO., LLC<br><input type="checkbox"/> SILVERSTEIN WTC PROPERTIES, LLC<br><input type="checkbox"/> SILVERSTEIN DEVELOPMENT CORP.<br><input type="checkbox"/> SILVERSTEIN WTC PROPERTIES LLC<br><input type="checkbox"/> SIMPSON GUMPERTZ & HEGER INC<br><input type="checkbox"/> SKIDMORE OWINGS & MERRILL LLP<br><input type="checkbox"/> SURVIVAIR<br><input type="checkbox"/> TISHMAN INTERIORS CORPORATION,<br><input type="checkbox"/> TISHMAN SPEYER PROPERTIES,<br><input type="checkbox"/> TISHMAN CONSTRUCTION CORPORATION OF MANHATTAN<br><input type="checkbox"/> TISHMAN CONSTRUCTION CORPORATION OF NEW YORK<br><input type="checkbox"/> THORNTON-TOMASETTI GROUP, INC.<br><input type="checkbox"/> TORRETTA TRUCKING, INC<br><input type="checkbox"/> TOTAL SAFETY CONSULTING, L.L.C<br><input type="checkbox"/> TUCCI EQUIPMENT RENTAL CORP<br><input checked="" type="checkbox"/> TULLY CONSTRUCTION CO., INC.<br><input checked="" type="checkbox"/> TULLY ENVIRONMENTAL INC.<br><input checked="" type="checkbox"/> TULLY INDUSTRIES, INC.<br><input checked="" type="checkbox"/> TURNER CONSTRUCTION CO. |
|---|---|

*Please read this document carefully.*

*It is very important that you fill out each and every section of this document.*



☒ TURNER CONSTRUCTION COMPANY  
☒ TURNER CONSTRUCTION INTERNATIONAL, LLC  
☐ TURNER/PLAZA, A JOINT VENTURE  
☐ ULTIMATE DEMOLITIONS/CS HAULING  
☐ VERIZON NEW YORK INC,  
☐ VOLLMER ASSOCIATES LLP  
☐ W HARRIS & SONS INC  
☐ WEEKS MARINE, INC.  
☐ WEIDLINGER ASSOCIATES, CONSULTING ENGINEERS, P.C.

☐ ZIEGE  
☐ OTHER: \_\_\_\_\_

☐ WHITNEY CONTRACTING INC.  
☐ WOLKOW-BRAKER ROOFING CORP  
☐ WORLD TRADE CENTER PROPERTIES, LLC  
☐ WSP CANTOR SEINUK  
☐ YANNUZZI & SONS INC  
☐ YONKERS CONTRACTING COMPANY, INC.  
☐ YORK HUNTER CONSTRUCTION, LLC

☐ Non-WTC Site Building Owner  
 Name: \_\_\_\_\_  
 Business/Service Address: \_\_\_\_\_  
 Building/Worksite Address: \_\_\_\_\_  
☐ Non-WTC Site Lessee  
 Name: \_\_\_\_\_  
 Business/Service Address: \_\_\_\_\_  
 Building/Worksite Address: \_\_\_\_\_

☐ Non-WTC Site Building Managing Agent  
 Name: \_\_\_\_\_  
 Business/Service Address: \_\_\_\_\_  
 Building/Worksite Address: \_\_\_\_\_

## II. JURISDICTION

8. The Court's jurisdiction over the subject matter of this action is:

☒ Founded upon Federal Question Jurisdiction; specifically, ☒ Air Transport Safety & System Stabilization Act of 2001.

## III CAUSES OF ACTION

Plaintiff(s) seeks damages against the above named defendants based upon the following theories of liability, and asserts each element necessary to establish such a claim under the applicable substantive law:

<input checked="" type="checkbox"/>	Breach of the defendants' duties and obligations pursuant to the New York State Labor Law(s) including §§ 200 and 240	<input checked="" type="checkbox"/>	Common Law Negligence, including allegations of Fraud and Misrepresentation
<input checked="" type="checkbox"/>	Breach of the defendants' duties and obligations pursuant to the New York State Labor Law 241(6)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> Air Quality; <input checked="" type="checkbox"/> Effectiveness of Mask Provided; <input checked="" type="checkbox"/> Effectiveness of Other Safety Equipment Provided

*Please read this document carefully.*  
*It is very important that you fill out each and every section of this document.*

<input checked="" type="checkbox"/>	Pursuant to New York General Municipal Law §205-a		(specify: _____); <input type="checkbox"/> Other(specify):
<input type="checkbox"/>	Pursuant to New York General Municipal Law §205-e	<input type="checkbox"/>	Wrongful Death
		<input type="checkbox"/>	Loss of Services/Loss of Consortium for Derivative Plaintiff
		<input type="checkbox"/>	Other: _____

#### IV CAUSATION, INJURY AND DAMAGE

9. As a direct and proximate result of defendant's culpable actions in the rescue and/or recovery and/or construction, renovation, alteration, demolition and all work performed at the premises, the Injured Plaintiff sustained (including, but not limited to) the following injuries:

*Please read this document carefully.  
It is very important that you fill out each and every section of this document.*

<input type="checkbox"/>	<b>Cancer Injury:</b> Date of onset: _____ Date physician first connected this injury to WTC work: _____	<input type="checkbox"/>	<b>Cardiovascular Injury:</b> Date of onset: _____ Date physician first connected this injury to WTC work: _____
<input checked="" type="checkbox"/>	<b>Respiratory Injury:</b> Asthma; reactive airway disease; pulmonary nodules; GERD; esophagitis; <b>Date of onset:</b> On or about January 26, 2007, Plaintiff visited the Bureau of Health Services, New York City Fire Department for a back injury, sustained on the job on December 7, 2006 and for which he had been on medical leave. While Plaintiff was having his back examined, the doctors heard him cough and, alarmed by the nature of the coughing, immediately sent him to New York University Medical Center for a Methacholine Challenge Test. Doctors there found in Plaintiff the "onset of labored breathing, and cough at L3 worsening through L5..." and diagnosed him with asthma. Plaintiff had not known whether the cough he had was a one-time occurrence, the beginning of a serious medical issue or merely the start of a bad cold or flu.  A follow up Pulmonary Function Test on February 21, 2007 at the Bureau of Health Services, New York City Fire Department indicated: "FEV1 is 95% predicted."  Plaintiff underwent a number of diagnostic tests to confirm the asthma. On February 23, 2007, Plaintiff visited Medicenter to undergo a Pulmonary Function Test, which found "[Plaintiff's] FEV1 is 86% predicted."  On March 12, 2007, Maria Shiau, M.D. of the New York University Faculty Practice Radiology administered a Chest CT Scan on Plaintiff and diagnosed: "small pulmonary nodules... measuring up to 0.7 cm."	<input type="checkbox"/>	<b>Fear of Cancer</b> Date of onset: _____ Date physician first connected this injury to WTC work: _____

*Please read this document carefully.*

*It is very important that you fill out each and every section of this document.*



On April 26, 2007, Plaintiff consulted with Doreen Addrizzo-Harris, M.D. of New York University Pulmonary and Critical Care Associates. Dr. Addrizzo-Harris confirmed the existence of "small pulmonary nodules" and based on the finding of an "abnormal baseline spirometry with mild obstruction," diagnosed "active airways disease...[and] bronchospastic airways disease...."

Due to the above described diagnoses, on May 5, 2007, Kerry Kelly, M.D., on behalf of the three-doctor medical board committee of the New York City Fire Department, declared Plaintiff permanently unfit for fire duty because of the asthma as well as due to unrelated orthopedic problems. On or around June 9, 2007, Michael Weiden, M.D. of the Bureau of Health Services, New York City Fire Department examined Plaintiff and confirmed the asthma. Dr. Prezant also diagnosed gastroesophageal reflux disease (GERD).

On or around June 29, 2007, Plaintiff was examined by Christopher Anselmi, M.D. who, upon administering diagnostic tests, found: "mild obstructive lung disease with air trapping...compared to prior study of 10/04 there has been worsening of flow rates as well as an increase in residual volume." Dr. Anselmi also confirmed the existence of "persistent asthma" as well as the pulmonary nodules.

On September 24, 2007, Ari Klapholz, M.D. of the Sleep and Pulmonary Associates of New York began to administer a Cardiopulmonary Function Test on Plaintiff, but had to end the test before final results were obtained. The "reason[s] [Dr. Klapholz] stopped [the exercise test [were]: [Plaintiff's] fatigue, wheezing and coughing... MVV preexercise was low which suggests airflow

***Please read this document carefully.***

***It is very important that you fill out each and every section of this document.***

	<p>obstruction prior to exercise protocol."</p> <p>On September 28, 2007, Plaintiff was examined by David Prezant, M.D. of the Fire Department of the City of New York, World Trade Center Medical Monitoring / Treatment Program, Bureau of Health Services. Plaintiff underwent a Sinus CT Scan, based on the results of which Dr. Prezant diagnosed: "sinusitis... septal deviation... polyps...." Mari Hagiwara, M.D. and Annette Nusbaum, M.D. further found: "inflammatory disease in the paranasal sinuses and respective drainage pathways... there are variations in the configuration of the drainage pathways which might predispose the patient to recurrent episodes of inflammatory disease...."</p> <p>On November 1, 2007, Plaintiff retired from his service with the Fire Department of the City of New York under the World Trade Center Bill</p> <p><b>Date physician first connected this injury to WTC work:</b> November 1, 2007, if not earlier.</p>		
<u><b>X</b></u>	<p><b>Digestive Injury:</b> GERD  <b>Date of onset:</b> As set forth above.  <b>Date physician first connected this injury to WTC work:</b> As set forth above.</p>	<input type="checkbox"/>	<p><b>Other Injury:</b>  <b>Date of onset:</b> _____  <b>Date physician first connected this injury to WTC work:</b> _____</p>

*NOTE: The foregoing is NOT an exhaustive list of injuries that may be alleged.*

10. As a direct and proximate result of the injuries identified in paragraph "1", above, the Ground Zero-Plaintiff has in the past suffered and/or will in the future suffer the following compensable damages:

<p><u><b>X</b></u> Pain and suffering</p> <p><u><b>X</b></u> Loss of the enjoyment of life</p> <p><u><b>X</b></u> Loss of earnings and/or impairment of earning capacity</p>	<p><u><b>X</b></u> Loss of retirement benefits/diminution of retirement benefits</p>
--	--

*Please read this document carefully.  
It is very important that you fill out each and every section of this document.*

☒ Expenses for medical care, treatment, and rehabilitation

☒ Other:  
☒ Mental anguish

☒ Disability

☐ Medical monitoring

☐ Other: \_\_\_\_\_

---

11. As a direct and proximate result of the injuries described *supra*, the derivative plaintiff(s), if any, have in the past suffered and/or will in the future suffer a loss of the love, society, companionship, services, affection, and support of the plaintiff and such other losses, injuries and damages for which compensation is legally appropriate.

*Please read this document carefully.*

*It is very important that you fill out each and every section of this document.*

**WHEREFORE**, plaintiff(s) respectfully pray that the Court enter judgment in his/her/their favor and against defendant(s) for damages, costs of suit and such other, further and different relief as may be just and appropriate.

**Plaintiff demands that all issues of fact in this case be tried before a properly empanelled jury.**

Dated: New York, New York  
April 20, 2008

Yours, etc.

SULLIVAN PAPAIN BLOCK  
MCGRATH & CANNAVO P.C.  
Attorneys for Plaintiff

BY: 

Andrew J. Carboy (AC 1147)

120 Broadway - 18th Floor  
New York, New York 10271  
Tel: (212) 732-9000

*Please read this document carefully.  
It is very important that you fill out each and every section of this document.*